

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF
THE MIAMI BEACH EMPLOYEES' RETIREMENT PLAN
OF THE CITY OF MIAMI BEACH
October 13, 2009

Chairman Boyd called the meeting to order at 10:15 a.m.

Board Members present were as follows:

James Boyd	Jose Cruz	Hilda Fernandez
Jorge Gomez	Warren Green	
Richard McKinnon		Patricia Walker

Members absent -	Reinaldo Horday	Jonathan Sinkes
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Also present were:

Steve Cypen	Legal Counsel
David Farrand	Legal Counsel
Rick Rivera	Pension Administrator
Robert Martinez	Assistant Pension Administrator

CONSENT AGENDA

The Administrator requested the addition of three requests for payments as described on the Addendum to the Consent Agenda.

A motion was made by Ms. Fernandez, duly seconded by Mr. Gomez, and unanimously

RESOLVED That the addendum to the Consent Agenda be added as presented.

A motion was made by Mr. Gomez, duly seconded by Mr. Fernandez, and unanimously

RESOLVED That the Consent Agenda be approved as amended except for item C-9 DROP application for Jorge Gomez and item C-12 Request for Payment for Trustees Hilda Fernandez, Warren Green and James Boyd.

A motion was made by Mr. Fernandez, duly seconded by Mr. Cruz, and with all in favor except Mr. Gomez who recused himself from voting, it was

RESOLVED That Item C-9 Drop Applicant Jorge Gomez' Drop application be approved as presented.

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A motion was made by Mr. Gomez, duly seconded by Mr. Cruz, and with all in favor except Mr. Green who recused himself from voting, it was

RESOLVED That Warren Green's travel reimbursement Item C-12 Request for Payment in the amount of \$568.82 be approved as presented.

A motion was made by Mr. Gomez, duly seconded by Ms. Fernandez, and with all in favor except Mr. Boyd who recused himself from voting, it was

RESOLVED That James W. Boyd's travel reimbursement Item C-12 Request for Payment in the amount of \$271.92 be approved as presented.

A motion was made by Ms. Walker, duly seconded by Mr. Cruz, and with all in favor except Ms. Fernandez who recused herself from voting, it was

RESOLVED That Hilda Fernandez's travel reimbursement Item C-12 Request for Payment in the amount of \$47.43 be approved as presented.

CONSENT AGENDA

C-1 The Minutes of the September 8, 2009 Board Meeting were approved as presented.

C-2 New Members were approved as follows - (None)

C-3 New Retiree Allowances were approved as follows -

<u>Name</u>	<u>Date</u>	<u>Retirement Type</u>	<u>Monthly Amount</u>
Andres Advincula	10/01/2009	Ordinary Service Ret.	\$4,233.60
Andres Advincula	10/01/2009	2% lump sum option	\$11,475.00
Juan Greyu	10/01/2009	Ordinary Service Ret.	\$1,487.00
Robert Miles	10/01/2009	Ordinary Service Ret.	\$5,025.00
James Rollison	11/01/2009	Ordinary Service Ret.	\$2,284.89
Victor Rybalka	10/01/2009	Ordinary Service Ret.	\$4,150.00

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C-4 New Pensioner Allowances were approved as follows - (None)

C-5 Requests for Lump Sum Refunds were approved as follows -

<u>Name</u>	<u>Separation Date</u>	<u>Amount</u>	<u>Reason</u>
Kelly Goeden	04/26/2005	\$33,600.06	Terminated
Lester Jaggernauth	03/01/2006	\$23,901.41	Resignation
Robert Mulcahy	10/01/2009	\$3,371.70	Resignation
Gisela Tacao	09/30/2009	\$6,461.01	Lay Off
Hector Torres	09/08/2009	\$16,161.44	Resignation
Maria Triana	07/21/2009	\$6,966.70	Resignation
Ana Velasco	09/30/2009	\$26,810.10	Lay Off
Julie Yanes	09/30/2009	\$19,821.28	Lay Off
Erica Rosen	08/21/2009	\$10,764.91	Resignation

C-6 Request for Accumulated Contribution Refund for a Named Beneficiary was approved as follows -

<u>Named Benef.</u>	<u>Dependent upon Active employee</u>	<u>YCS</u>	<u>Refund of Accu. Contrib. due</u>	<u>IRS Withholding</u>
Douglas Cox	Annette Ayala (deceased)	1.58 yrs	\$ 7,607.68	N/A

C-7 Purchases of Creditable Service Time were approved as follows-

<u>NAME</u>	<u>DATE</u>	<u>YEAR PURCHASED</u>	<u>HOURS USED</u>	<u>CASH USED</u>	<u>LEAVE AMOUNT</u>
Alfredo Mendez	09/09/2009	0.56	102.64	\$ -	\$ 2,699.49
Richard Moore	09/21/2009	0.50	83.11	\$ -	\$ 2,549.18
Carlos Mazariegos	09/01/2009	0.49	62.39	\$ 800.00	\$ 1,150.41
Julian Perez	03/12/2009	0.83	0	\$ 4,067.34	\$ -
Michell Sanchez	10/09/2009	0.50	116.65		\$ 2,112.14
Claude Joseph	09/22/2009	0.56	82.27		\$ 1,072.61
Esther Delva	09/23/2009	0.50	84.84		\$ 1,084.89

C-8 Request for up to Two (2) years of additional creditable service were approved as follows -

<u>NAME</u>	<u>CMB APPLICATION/RESUME or additional back up</u>	<u>CREDITABLE SERVICE PURCHASED</u>
Allys Alvarez	X	1.0
Hernan Cardeno	X	2.0
Michelle Cox	X	2.0
Ofelia Levy	X	2.0
Alfredo Mendez	X	2.0
Richard Moore	X	2.0
Robert Reboso	X	0.5
Charles Zarate	X	2.0
Carlton Stewart	X	1.0

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C-9 DROP applicants were approved as follows -

<u>Name</u>	<u>Effective Retirement</u>	<u>Estimated Monthly Benefit Calculation</u>	<u>Last DROP Deposit</u>
Bucacci, Antonia	10/01/2009	\$ 6,458.00	09/01/2012
Nelson Z. Hobbs Jr.	10/01/2009	\$ 5,500.00	09/01/2012
Saballos, Sharon	10/01/2009	\$ 3,900.00	09/01/2012
Rovirosa, Mercedes	10/01/2009	\$ 2,940.00	09/01/2012
Fortunato, Bertha	10/01/2009	\$ 2,560.00	09/01/2012
Garcia, Mercedes	10/01/2009	\$ 4,246.00	09/01/2012
Whitlock, Mary	10/01/2009	\$ 4,500.00	09/01/2012
De Las Salas. Angel	10/01/2009	\$ 4,800.00	09/01/2012
Mendez, Alfredo	10/01/2009	\$ 1,900.00	09/01/2012
Bonde, Kent	10/01/2009	\$ 8,490.01	09/01/2012
Farias, Pedro	10/01/2009	\$ 3,820.00	09/01/2012
Gomez, Jorge	10/01/2009	\$ 11,015.45	09/01/2012
Kondorosi, Csaba	10/01/2009	\$ 1,923.04	09/01/2012
Toledo, John	10/01/2009	\$ 3,823.00	09/01/2012

C-10 Lump Sum Refunds Paid since the last meeting were approved as follows -

<u>Name</u>	<u>Date of Check</u>	<u>Voucher</u>	<u>Check Amount</u>	<u>IRS Tax Payment</u>	<u>Tax Payment Date</u>
Arnaldo Guillen	09/14/2009	111436	\$ 44,121.98	\$ 11,030.49	09/15/2009
Christina Livingston	09/14/2009	111437	\$ 40,523.41	\$ 10,130.85	09/15/2009

C-11 The Financial Reports were approved as presented.

C-12 Requests for Payment were approved as presented.

Oct-09

Steve Cypen- Legal fees	
Retainer for the month of October 2009	\$ 4,500.00
Joan Wall- Bookkeeping	
Bookkeeping services for the month of October 2009	\$ 300.00
Goldstein, Schechter, Koch- Auditors	
F/Y 08' Per Inv.# 65094	\$ 4,000.00
Holland & Knight- Legal Fees	
Compliance Review Per. Inv.# 2426487	\$ 1,100.00
Milliman USA- Consulting Services	
For Qtr. July -Sept. 2009	\$ 15,100.00
Fiduciary Trust International - Custodial fees	
For Qtr. Ending 09/30/2009	\$ 6,453.02
Office Depot- office supplies	
Per inv.# 48042818001, 48855246001	\$ 236.59
CMB Information Technology- Computer & Phone Use	
For the month of Sept. 09' Per inv.# 00013551	\$ 2,517.36
SBS Miami Lakes- Copier	
monthly rental fees per inv.# 131620882	\$ 228.56

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CMB Property Management- Office Maintenance	
For the month of Aug. 09' Per Inv.# 00013503	\$ 1,616.09
IDD- Storage Fees	
Per Inv. # 044692	\$ 36.96
FPPTA- Conf. & Edu.	
Reg.ees for Oct. Trustees School-Fernandez	\$ 50.00
Jorge A. Gonzalez- Medical Board	
Medical records for Denis Larramendi	\$ 30.25
CMB Central Services- Postage & Printing	
For the months of July & August	\$ 3,412.66
IFEBP- Conf. & Edu.	
Memebership fees for 2010	\$ 890.00
Rick Rivera- Conf. * Edu.	
Vivendi Class Action - NY	\$ 366.97
Hilda Fernandez- Conf. & Edu.	
FPPTA Trustees School Oct.4-7, 2009	\$ 47.43
Warren Green- Conf. & Edu.	
Travel Exp. Reimbursement FPPTA	\$ 568.82
James W. Boyd- Conf. & Edu.	
Travel Exp. Reimbursement FPPTA	\$ 271.92
Richard McKinnon- Conf. & Edu.	
Travel Exp. Reimbursement FPPTA	\$ 285.06
Robert Martinez- Conf. & Edu.	
Travel Exp. Reimbursement FPPTA	\$ 604.24

REGULAR AGENDA

The Administrator requested the addition of a New Item R-2(F) John Toledo DROP clarification.

A motion was made by Ms. Fernandez, duly seconded by Mr. Gomez, and unanimously

RESOLVED That New Item R-2(F) John Toledo DROP clarification be added to the Regular Agenda as presented.

R-1 Deferred Items - (None)

R-2 New Items

A. Discussion on communication tools - A discussion ensued regarding the possibility of creating a website for the retirement system. The Board decided to establish a website committee consisting of Ms. Fernandez and Ms. Walker to coordinate with the Administrator on starting a pension website.

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- B. Discussion on Mesirow Financial and REIT's - The Board reviewed the information provided. The Board instructed the Administrator to forward the REIT information to Bill Cottle so that he could provide an opinion on possible new opportunities in real estate investing.
- C. Commission MEMO and 1st reading regarding investments - The Board reviewed the proposed City Ordinance that would require the pension fund to divest of all assets invested in companies doing business with the countries of Sudan and Iran. The Board instructed the Administrator to forward the proposed City Ordinance to Bill Cottle so that he could identify if the pension fund had investments in Sudan and/or Iran.
- D. Vivendi Class Action trial update - Mr. Cypen said that the Vivendi Class action trial had begun on October 5, 2009. He said that a jury had been selected and opening statements had been delivered to the jury. He said that the Administrator had been in attendance representing investors from the Class. Mr. Cypen suggested that a representative from the Board periodically attend the trial as this was a very important trial with millions of dollars at stake.
- E. Annual affidavit update - The Administrator provided the Board a short list of retirees that had not complied with the annual affidavit policy. He told the Board he would be placing these retiree's retirement benefits on 'hold' at the office until they complied with the policy or were found to have demised. The Administrator asked the Board for permission to hire a company that would go through a list of all current retirees to determine if any had deceased. He said that this service had not been done while he was employed with the pension office. Mr. Cypen agreed with this request and suggested he contact the Administrator of the Police & Fire pension who had recently done this service.

A motion was made by Mr. Gomez, duly seconded by Mr. Cruz, and unanimously

RESOLVED That the Administrator be authorized to hire a company with a funding limit of \$2,500 to audit a current active list of the Fund's retirees and pensioners to determine if any had previously deceased and someone was collecting an unauthorized benefit in their place.

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- F. John Toledo DROP clarification - The Administrator explained that Mr. Toledo had two separate vested periods as an employee of the City. He said that he was unclear if both periods should be included when he entered the DROP on October 1, 2009. Mr. Cypen reviewed the information provided and said that both periods, while calculated separately, are subsequently added together to determine Mr. Toledo's final retirement benefit and therefore both are included in the DROP.

R-3 Other Business

- A. Administrator's Report - The Administrator said that a representative from Rhumblin had requested if they could present Rhumblin's quarterly investment report at the December 8, 2009 pension meeting instead of the Investment Board meeting scheduled for November 3, 2009. Several Trustees commented that November 3 was Election Day and requested that the entire Investment meeting be re-scheduled to December 8, 2009. A discussion ensued.

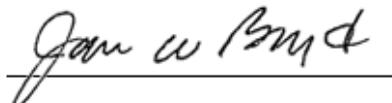
The Board decided to re-schedule the Investment meeting from Tuesday, November 3, 2009 at 10:00a.m. to Tuesday, December 8, 2009 at 10:00 a.m. The Administrator said that he would notify all interested parties.

R-4 For Your Information

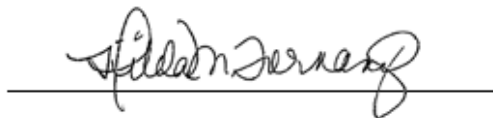
Chairman Boyd and Mr. Cypen reviewed For Your Information.

There being no further business to discuss, a motion was made by Mr. Gomez duly seconded by Mr. Green and unanimously

RESOLVED That the meeting be adjourned. The meeting was adjourned at 11:55 a.m.



James Boyd, Chairman



Hilda Fernandez, Secretary